

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Judith G. Amorski, Esq.
10 West Main Street
Freehold NJ 07728
Attorney for Debtor

In Re:

Christine Mcarthur

Case No.: 17-35340

Chapter: 13

Hearing Date: 6/20/18 9:00 am

Judge: CMG

**NOTICE OF MOTION TO
REINSTATE THE AUTOMATIC STAY**

Christine Mcarthur has filed papers with the court requesting to reinstate the automatic stay.

YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

If you do not want the court to grant this motion, or if you want the court to consider your views, you or your attorney must file with the clerk at the address listed below, a written response explaining your position no later than 7 days prior to the hearing date.

Hearing Date: 6/20/18

Hearing Time: 9:00

Hearing Location: 402 East State St. Trenton NJ

Courtroom Number: CMG

If you mail your response to the clerk for filing, you must mail it early enough so the court will receive it on or before 7 days prior to the hearing date.

You must also mail a copy of your response to:

Attorneys for above, Kyle Francis Eingorn, Esq.
KEingorn@DBBLEGAL.com
1300 Route 73
Suite 205
Mt. Laurel NJ 08054

If you, or your attorney, do not take the steps outlined above, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: 5/11/2018

/S/ Christine Mcarthur

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CERTIFICATION OF DEBTOR(S)

I, *Christine Mcarthur*, debtor in this case, submit this Certification in support of my Motion to Reinstate the Automatic Stay.

1. I am fully familiar with the facts set forth below.
2. I filed for bankruptcy on 4/4/18
3. On MAY 7, 2018 the automatic stay was vacated because *payment was received by BSI but not processed as of the date of the hearing.*
4. I request that the stay be reinstated because on the morning of the motion my Attorney did not have any proof to provide that the payment had been received. *Shortly thereafter the check cleared the bank however I was not able to show proof beforehand. Although I sent a copy of the certified check I could not verify to the court that BSI had received it prior to the morning of the hearing.*
5. *My Attorney and Mr. Eingorn had discussed this prior to the hearing and it was understood that the objection was due to the fact that I had not made the payments. I called BSI several times and they told me on the phone that I could not make the payment. I was in contact with my Attorney and I wanted confirmation that I could mail it to the address of BSI, even though verbally they said they could not accept it. When my lawyer confirmed with BSI's lawyer that I could mail it I overnighted the check for the full amount.*

I certify under penalty of perjury that the above is true.

Date: 5/11/2018

/S/ Christine Mcarthur

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STATEMENT AS TO WHY NO BRIEF IS NECESSARY

In accordance with D.N.J. LBR 9013-1(a)(3), it is respectfully submitted that no brief is necessary in the Court's consideration of this motion, as it does not involve complex issues of law.

Date: 5/11/2018

/S/ Christine Mcarthur

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CERTIFICATION OF SERVICE

1. I, JUDITH G. AMORSKI, ESQ:

☐ represent CHRISTINE MCARTHUR in this matter.

2. On *May, 11, 2018*, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below.

☒ Notice of Motion to Reinstate the Automatic Stay

☒ Certification in Support of Motion to Reinstate the Automatic Stay

☒ Statement as to Why No Brief is Necessary

☒ Proposed Order Granting Motion to Reinstate the Automatic Stay

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Date: May, 11 2018

/S/Judith G. Amorski, Esq

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
<p><i>Attorneys for above, Kyle Francis Eingorn, Esq.</i> KEingorn@DBBLEGAL.com 1300 Route 73 Suite 205 Mt. Laurel NJ 08054</p>	<p><i>Mortgage Holder</i></p>	<p><input type="checkbox"/> Hand-delivered</p> <p><input type="checkbox"/> Regular mail</p> <p><input checked="" type="checkbox"/> Certified mail/Return receipt requested</p> <p><input checked="" type="checkbox"/> Other electronic notice authorized by the court or rule. Cite the rule if applicable.)</p>
<p><i>[Enter the name and address of the party you served]</i></p>	<p><i>[Enter the party's relationship to the case]</i></p>	<p><input type="checkbox"/> Hand-delivered</p> <p><input type="checkbox"/> Regular mail</p> <p><input type="checkbox"/> Certified mail/Return receipt requested</p> <p><input type="checkbox"/> Other _____ (As authorized by the court or rule. Cite the rule if applicable.)</p>
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ORDER GRANTING MOTION TO REINSTATE STAY

The relief set forth on the following page is **ORDERED**.

The Court having reviewed the debtor's Motion to Reinstate the Automatic Stay, and any related responses or objections, it is hereby

ORDERED that:

1. The automatic stay is reinstated as to all creditors.
2. The debtor shall serve a copy of this order on the trustee, all parties that were served with the Motion, and any parties who objected or responded to the motion.